

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

H. TED CAIN

PLAINTIFF

v.

CAUSE NO. 1:02CV111 LG

BRUSHY CREEK CUSTOM SIRES,
INC., ET AL.

§
§
§
§
§

DEFENDANTS

ORDER GRANTING DEFENDANTS'
MOTION TO DISMISS AS UNOPPOSED

THE MATTER BEFORE THE COURT is the Defendants' Motion to Dismiss [89] filed October 29, 2007. The Plaintiff has not filed a response to Defendants' contention that this case must be dismissed because Plaintiff's claims have been fully discharged by the United States Bankruptcy Court, Western District of Texas, Austin Division.¹

Rule 7.2(C)(2) of the UNIFORM LOCAL RULES FOR THE NORTHERN AND SOUTHERN DISTRICTS OF MISSISSIPPI allows the Court to grant a motion (other than one for summary judgment) as unopposed if any party fails to respond within the time allotted. The time allowed for a response to the Defendants' motion has passed. Accordingly,

IT IS ORDERED AND ADJUDGED that the Defendants' Motion to Dismiss [89] is **GRANTED** as unopposed pursuant to Rule 7.2(C)(2) of the UNIFORM LOCAL RULES FOR THE NORTHERN AND SOUTHERN DISTRICTS OF MISSISSIPPI. Plaintiff's claims against the Defendants are **DISMISSED**.

SO ORDERED AND ADJUDGED this the 13th day of December, 2007.

s/ Louis Guirola, Jr.

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE

¹ The Court notes that the claims asserted in this lawsuit are specifically mentioned in the order of discharge, Ct. R. 91.